

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

Rosemary Davis,

Debtor.

)
) **Case No. 14-10627-BFK**
)
) **Chapter 7**
)

**DEBTOR'S RESPONSE TO
TRUSTEE'S OBJECTION TO CLAIM OF EXEMPTION**

COMES NOW, the Debtor, Rosemary Davis, by and through Counsel, Juan E. Milanés, Esq., of the Law Offices of Juan E. Milanés, PLLC, and prays and submits, as follows:

1. Debtor filed a Voluntary Petition under Chapter 7 of the Bankruptcy Code on February 22, 2014.
2. The §341 Creditors Meeting was held and concluded on April 3, 2014.
3. On May 5, 2014, the Trustee filed an Objection to Claim of Exemption, which indicates that Debtor had not filed a homestead deed in Marion County, Florida to exempt her equity interest therein (Docket No. 19).
4. Debtor admits the allegations and statements made in Paragraphs 1, 2 and 3 by the Trustee in her Objection (Doc. 19).
5. Debtor denies the allegations of Paragraphs 4, 5 and 6 and demands strict proof thereof.
6. Debtor submits that she executed an original Homestead Deed on March 14, 2014, which sets apart a specific claim of \$2,500.00 in equity in her real estate located in Marion

Juan E. Milanes, Esq., VSB 33218
Law Offices of Juan E. Milanés, PLLC
1831 Wiehle Ave, Suite 105
Reston, VA 20190
Ph: (703)880-4881
Fax: (703) 742-9487
MilanesLaw@gmail.com

County, Florida. The original Homestead Deed was timely recorded where she resides in Prince William County Circuit Court on April 4, 2014.

7. Upon return of the original Homestead Deed from Prince William County, said original was filed and recorded on May 7, 2014 in Marion County, Florida in Official Record Book 06035 at Page 0802 as File Number 2014042977.
8. The Clerk's Office of Marion County has returned the original Homestead Deed to Counsel for Debtor. A copy of the original recorded Homestead Deed is attached hereto and made a part hereof as Exhibit A.
9. The recording of the original Homestead Deed complies with the requirements of Section 34-6 of the Code of Virginia in that it has been filed both where Debtor resides and where the property is located outside of Virginia.

WHEREFORE, Debtor submits that there are sufficient grounds upon which to oppose the Objection to Claim.

Respectfully submitted this May 12, 2014.

Rosemary Carol Davis
By Counsel

Law Offices of Juan E. Milanés, PLLC
1831 Wiehle Avenue, Suite 105
Reston, Virginia 20190
(703) 880-4881

By: /s/ Juan E. Milanés, Esq.
Juan E. Milanés, VA Bar No. 33218
Counsel for Debtor

Certificate of Service

I, Juan E. Milanés, Esq., Counsel for Debtor herein, hereby certify that on this May 12, 2014, I served via ECF to authorized users, or a copy of the foregoing Response to Objection was mailed, first class, postage prepaid, to the following persons at following address:

Janet M. Meiburger, Trustee
The Meiburger Law Firm, P.C.
1493 Chain Bridge Road, Suite 201
McLean, VA 22101

/s/ Juan E. Milanés, Esq.
Juan E. Milanés, Esq.